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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No. '07 MJ 2822
v.	COMPLAINT FOR VIOLATION OF
Florentina Mildred CONKLIN Defendant.	Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Alien(s) Without Presentation

The undersigned complainant being duly sworn states:

On or about **December 4, 2007**, within the Southern District of California, defendant **Florentina Mildred CONKLIN** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Francisco AGUILAR-Farias**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **6TH** DAY OF **DECEMBER**, 2007.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Francisco AGUILAR-Farias** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material, that it is impracticable to secure his attendance at the trial thereof by subpoena; and he is a material witness in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On December 4, 2007 at about 2208 hours, **Florentina Mildred CONKLIN (Defendant)** applied for entry into the United States from Mexico through the Otay Mesa Port of Entry as the driver and sole visible occupant of a blue 2005 Chevrolet Avalanche. A Customs and Border Protection (CBP) Officer obtained a negative Customs declaration from Defendant. Defendant orally stated to be a United States citizen by birth and presented a State of California driver license as proof of identity. Defendant stated she had gone to Tijuana, Mexico to visit her mother. Defendant further stated she was going home to Oceanside, California. The CBP Officer noticed a space discrepancy between the wall of the cabin and the wall of the truck bed. Defendant claimed ownership of the vehicle for about one year and presented a counterfeit State of California, Department of Motor Vehicles (DMV) vehicle registration form. The document identified Defendant as the registered owner of the vehicle she was operating. The counterfeit registration also identified Defendant's address. The CBP Officer subsequently escorted Defendant and the vehicle to secondary for further inspection.

In secondary, a CBP Officer discovered a non-factory compartment behind the wall of the cabin. The CBP Officer noticed what appeared to be a person concealed inside the compartment. The CBP Officer attempted to access the compartment from the inside of the vehicle. The CBP Officer attempted to pull and remove the rear seat of the vehicle but was unsuccessful. One of the concealed individuals verbally stated he could not exit the compartment. The CBP Officer entered the bed of the truck and removed three plastic panels and discovered two Hispanic males concealed in the compartment. Both concealed individuals admitted to being citizens of Mexico without entitlements to enter or reside in the United States. One is now identified as **Francisco AGUILAR-Farias** (Material Witness).

Defendant was advised of her Miranda rights and elected to make a statement without the presence of counsel. Defendant admitted full knowledge of the smuggling act. Defendant stated she needed money for the upcoming holidays and had agreed to smuggle aliens into the United States. Defendant stated she was offered $400.00 (USD) per smuggled alien. Defendant admitted knowing two undocumented aliens were concealed behind the rear seat of the vehicle. Defendant stated she was to deliver the aliens to an unknown man at the Walmart store off the Palm Avenue exit, off Interstate 805. Defendant stated she would then drive to Tijuana, Mexico, deliver the vehicle and receive payment. Defendant admitted claiming ownership of the vehicle and admitted presenting a counterfeit DMV vehicle registration form with her information on it.

During a videotaped interview, MW admitted he is a citizen of Mexico without entitlements to enter or reside in the United States. MW stated he was going to pay $3000.00 (USD) to be smuggled into the United States. MW stated he was going to Santa Ana, California to seek employment.